

EXHIBIT 5

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

RAYMOND WARE,)	CIVIL NO. 04-00671 HG LEK
)	
Plaintiff,)	STIPULATION REGARDING
)	REINSTATEMENT; ORDER
v.)	
)	
MICHAEL CHERTOFF, Secretary,)	
DEPARTMENT OF HOMELAND)	
SECURITY,)	
)	
Defendant.)	
)	
)	

STIPULATION REGARDING REINSTATEMENT

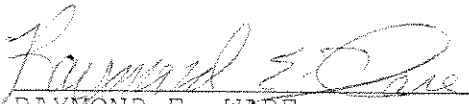
The Parties hereby stipulate that plaintiff will be reinstated to federal employment as a screening manager at Honolulu International Airport at a salary of \$57,500 per year, as base salary effective by June 8, 2008, in the I band. The purpose of this stipulation is to allow plaintiff to attend retraining beginning June 9, 2008, while the parties to continue evaluate appeal, and continue to litigate and discuss settlement

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of all equitable relief issues. Defendant retains any right it may have to object to permanent reinstatement if plaintiff fails a security background check.

DATED: _____, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii


RAYMOND E. WARE
Plaintiff

DAPHNE E. BARBEE
Attorney for Plaintiff

By _____
THOMAS A. HELPER
Attorney U.S. Attorney
Attorneys for Defendant

APPROVED AND SO ORDERED:

LESLIE E. KOBAYASHI
United States Magistrate Judge

Raymond Ware v. Michael Chertoff; Civil No. 04-00671 HG LEK
STIPULATION REGARDING REINSTATEMENT; ORDER